



PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No.: 04-218 (400.148))

In the Application of:

James McSwiggen

Serial No.: 10/800,487

Filed: March 15, 2004

**For: RNA Interference Mediated Inhibition of)
Intercellular Adhesion Molecule (ICAM))
Gene Expression Using Short Interfering)
Nucleic Acid (siNA)**

Art Group: 1645

Examiner: Not assigned

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

STATEMENT UNDER 37 C.F.R. § 1.821(f)

Sir/Madam:

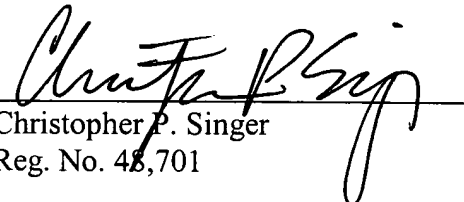
The undersigned representative hereby declares that the content of the electronic copies of the Sequence Listing, submitted in the above-identified application in compliance with 37 C.F.R. § 1.52(e) on Compact Disc-Recordable (CD-R) medium in duplicate (COPY 1 and COPY 2), in lieu of the paper copy under 37 C.F.R. § 1.821(c), and computer readable form copy of the Sequence Listing, submitted in the above-identified application in accordance with 37 C.F.R. § 1.821(e), are identical in content. The sequence listing submitted herewith does not extend beyond the scope of the specification, and thus, does not contain new matter. The CD-R labeled "CRF of Sequence Listing submitted under 37 C.F.R. § 1.821(e)" contains an IBM compatible dos-text file of the sequence listing named "400.148 Sequence Listing.txt".

Respectfully submitted,

McDonnell Boehnen Hulbert & Berghoff LLP

Dated: September 22, 2004

By:


Christopher P. Singer
Reg. No. 48,701



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TRANSMITTAL LETTER

Sir:

1. The Compact Disc contained herein ("400.148 Sequence Listing") submitted under 37 C.F.R. § 1.52(e):

- ☒ Is formatted for IBM-PC Machines
- ☒ Is compatible with MS-Windows Operating System
- ☒ Contains the file "400.148 Sequence Listing" which is 159,466 bytes in size and was created on 09.21.04.

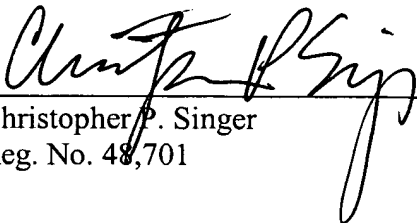
2. Statement under 37 C.F.R. § 1.821(f): The undersigned certifies that the original CD-R submitted herein, titled "400.148 Sequence Listing" (COPY 1) and the copy CD-R entitled "400.148 Sequence Listing" (COPY 2) are identical in content as required by C.F.R. § 1.52(e)(4).

Respectfully submitted,

McDonnell Boehnen Hulbert & Berghoff LLP

Dated: September 22, 2004

By:


Christopher P. Singer
Reg. No. 48,701

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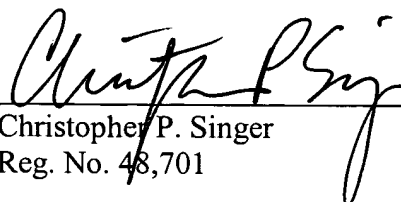
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